

TOWN OF COTTAGE GROVE
PUBLIC HEARINGS AND TOWN BOARD MEETING
June 6, 2016

PUBLIC HEARING – 2016-17 ALCOHOL BEVERAGE LICENSE APPLICANTS

- I. Notice of the public hearing was published in the legal section of the Wisconsin State Journal on May 26, 27 and 28, 2016, as well as posted at the Town Hall and on the Town's internet site.
- II. Town Chair Kris Hampton called the public hearing to order at 7:00 P.M. Others present: Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee, Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith, and others as evidenced by the sign in sheet available in the Clerk's office.
- III. Hampton read the list of applicants and asked if there were any questions or comments from the public, there were none.
- IV. **MOTION** by DuPlayee/Williams to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:01 P.M.

PUBLIC HEARING – 2016-17 NON-METALLIC MINING PERMIT APPLICANTS

- I. Notice of the public hearing was posted at the Town Hall and on the Town's internet site, as well as emailed to those parties who had requested to be notified of such events.
- II. Town Chair Kris Hampton called the public hearing to order at 7:01 P.M. Others present were the same as listed for the public hearing above.
- III. Hampton read the list of applicants and asked if there were any questions or comments from the public.
 - Alex Tukiendorf, 2292 U.S. Hwy 12 & 18, provided board members with a large packet containing the 2015-16 Non-metallic mining permit for the Hellickson Mineral Extraction Site at 2294 U.S. Highway 12 & 18, operated by Wade Cattell, along with documents and photos alleging operation outside of permitted hours and loss of value to neighboring properties. He asked who is in charge of monitoring compliance with hours of operation, to which Hampton answered that Dane County is responsible.
- IV. **MOTION** by DuPlayee/Williams to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:08 P.M.

TOWN BOARD MEETING

- I. ADMINISTRATIVE
 - A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Attendance was the same as the public hearings above.
 - B. Hampton called the meeting to order at 7:08 P.M.
 - C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on May 16, 2016 with one correction. **MOTION CARRIED 5-0.**
 - D. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #30365-30411 from Monona State Bank. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/DuPlayee to approve payment of May per diems as presented, and payment of \$11,701.16 to Viken Inspection Agency, LLC for May building permits. **MOTION CARRIED 5-0.**
 - E. Public Concerns: None.

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- F. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve two permits for Charter Communications:

- To drill across the right-of-way at 4407 Vilas road to place a 2” duct at a depth of 30”.
- To drill parallel to the right-of-way at 4500/4506 Kennedy Road to place a 2” duct at a depth of 30”.

Deposits waived for both permits. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Discuss/Consider approval of July 2016 – June 2017 Alcohol Beverage Licenses:

1. Combination Class B Beer and Class B Liquor Licenses (see public hearing notice for applicants): **MOTION** by Williams/DuPlayee to approve July 2016 – June 2017 Combination Class B Beer and Liquor licenses for the following:

Ball of Fun, LLC, d.b.a. Doubleday's
Debra Stueber, Agent
4586 Baxter Road
Cottage Grove, WI 53527

Premises to include: Upstairs bar, dining room/dance floor, deck, downstairs bar, bowling alley, ball diamonds and behind, horseshoe area, volley ball court, and parking lot (front and back).

Door Creek Golf Course, Inc.
Phillip C. Frederickson, Agent
4321 Vilas Road
Cottage Grove, WI 53527

Premises to include: Inside Bar, outside bar, banquet room, pro shop, snack bar, and golf course.

Nora's Tavern, Inc.
Timothy Kluever, Agent
1843 HWY 12 & 18
Deerfield, WI 53531

Premises to include: Entire building, parking lot and all outside areas.

Country Corners, LLC
Patricia Jean Youngs, Agent
3737 CTH AB
McFarland, WI 53558

Premises to include: 60 x 60 brick building, office, basement and two smoking decks/patios.

MOTION CARRIED 5-0.

2. Operator's and Manager's Licenses: The Clerk provided a list of applicants (attached as Exhibit A) and noted that there were two who had items of concern in their background checks. She started to say that one (Brooke Larson) was in attendance, but then realized she had left the meeting. The other, Allyssa Waldron was not in attendance either, although the Clerk stated she had notified her that she should be. **MOTION** by

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Anders/DuPlayee to approve July 2016-17 Operator's and Manager's licenses for all of the applicants except Brooke Larson and Allyssa Waldron, directing the Clerk to notify them that their applications were tabled to allow them to appear at the next meeting.

MOTION CARRIED 5-0.

3. Discuss/Consider approval of July 2016– June 2017 Non-metallic Mining Permits (see public hearing notice for applicants):

Dennis Richardson from R.G. Huston Company, Inc. was present and indicated that there are no changes to the operating plans for the two quarries they operate.

- a) **MOTION** by DuPlayee/Williams to approve a July 2016 – June 2017 Non-metallic mining permit for the Gaston Road Quarry at 2543 Gaston Road, operated by Brad D. Huston of R.G. Huston Company, Inc., and owned by Huston Holdings, LLC. Operating hours to be the same as the expiring permit (6:00 A.M. to 6:00 P.M., Monday thru Saturday). **MOTION CARRIED 5-0.**
- b) **MOTION** by DuPlayee/Williams to approve a July 2016 – June 2017 Non-metallic mining permit for the Skaar Pit at 3355 County Road N, operated by Brad D. Huston of R.G. Huston Company, Inc., and owned by Huston Holdings, LLC. Operating hours to be the same as the expiring permit (6:00 A.M. to 6:00 P.M., Monday thru Friday, 8:00 A.M. to 3:00 P.M. on Saturday). **MOTION CARRIED 5-0.**
- c) Alex Tukiendorf, 2292 US Highway 12 & 18, referred to the packet he had distributed during the earlier public hearing alleging loss of property value and violations of the conditions of the mining permit hours of operation. Wade Cattell said that while he tries to work within the permitted hours, because of the site's non-conforming status, he believes he does not have to strictly adhere to them. He said there is no mining going on after hours. There was discussion about what activity was being observed outside of permitted hours, and whether it could be considered operation of the mining operation or just employees coming and going, etc. **MOTION** by DuPlayee/Anders to approve a July 2016 – June 2017 Non-metallic mining permit for the Hellickson Mineral Extraction Site at 2294 US Highway 12 & 17, operated by Wade Cattell of Raymond P. Cattell, Inc., and owned by Rocky Rights, LLC. Operating hours to be the same as the expiring permit (6:00 A.M. to 6:00 P.M., Monday – Saturday), with an additional condition that there be no hauling of material in or out of the site outside of these hours. **MOTION CARRIED 5-0.**

B. Plan Commission Recommendations:

1. Greg Ewelt, owner/applicant and Nick Ewelt, co-applicant, parcel 0711-323-9390-4 at 3188 Vilas Road – seeking rezone of 1.32 acres from R1-A to A-2 with a CUP for a Limited Family Business to manufacture frozen pizza: Greg Ewelt explained that he has a pizza restaurant in Monona, and also is in the beginning stages of marketing his pizzas to convenience and grocery stores, bars and fund raising efforts. He intends to put in a commercial kitchen to be operated by family members and possibly one additional employee. **MOTION** by Fonger/Williams to accept the Plan Commission's recommendation to approve the rezone of 1.32 acres from R1-A to A-2 and a Conditional Use Permit for a limited family business to manufacture frozen pizza for a

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period of 2 years. Hours of operation to be 9:00 a.m. to 3:00 p.m. weekdays. No more than 3 business trips in and 3 business trips out per day. Transit van utilized for pizza delivery may be stored overnight. The findings of fact under DCCO 10.255(2)(b) were all considered satisfied. **MOTION CARRIED 5-0.**

- C. Discuss/Consider Deer-Grove EMS special event services/fees: A letter from Chief Duane Erschen explained that requests for emergency medical services for various events held in the communities are becoming more numerous, and when they involve bringing in additional staff, result in a cost to the municipalities. To address this need, DGEMS is developing a Public Relations Policy which could include a fee schedule for the services provided. He is looking for municipal input on the matter. Discussion was that the need for EMS could be part of the discussion when Parade, Procession or Race permits are considered. **MOTION** by DuPlayee/Williams that DGEMS should charge for private (not taxpayer based) events when dedicated staff and or equipment are requested or required. **MOTION CARRIED 5-0.**
- D. Discuss/Consider approval of an agreement with Tetra-Tech for private well sampling services. **MOTION** by Williams/DuPlayee to approve the agreement with Tetra-Tech for private well sampling services as presented. **MOTION CARRIED 5-0.**

(Anders stepped away briefly)

- E. Discuss/Consider updating the subdivision ordinance: Hampton explained that the ordinance has not been revised since 2011, and should be reviewed in light of the recent revision of the Smartgrowth Comprehensive Plan. **MOTION** by DuPlayee/Williams to have Atty. Connie Anderson look at updating the ordinance in gear with the land use plan, with help from Hampton and the Clerk. **MOTOIN CARRIED 4-0.**

(Anders returned)

- III. CLERK'S REPORT: The clerk distributed an agenda and supporting documents for a special meeting tomorrow night.
- IV. HIGHWAY SUPERINTENDENT'S REPORT: Norman Schmelzer is back to work after surgery and doing well. They have been replacing several damaged culverts, and the contractors may be replacing the garage roof next week.
- V. BOARD REPORTS AND COMMUNICATIONS:
 - A. Hampton reported that the call box at the police station is working again.
 - B. Anders reported he had talked to Deputy French and determined that the expenses for the 2011 crown vic have been for routine maintenance. The only ongoing issue is a battery draw with prolonged parking. He is happy to drive it until it dies, feels having a second vehicle has benefits. Fonger thinks the battery draw should be trouble-shooted.
- VI. COMMITTEE REPORTS:
 - A. Joint Town/Village Landfill Monitoring Committee: Business as usual.
 - B. Emergency Government Committee: Some new furniture was donated by Systems Furniture Installations Inc.
- VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:27 P.M.

Kim Banigan, Clerk

Approved 06-20-2016